

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

UNITED STATES OF AMERICA)
)
)
Plaintiff,)
)
vs.) Case No.07 CR 815-6
)
MURTEZA GAZAFERI) Honorable Judge Rebecca Pallmeyer
)
Defendant.)

MOTION FOR MODIFICATION OF PROBATION

COMES NOW the Defendant, MURTEZA GAZAFERI, by and through his attorney, JACK FRIEDLANDER, and respectfully requests this Honorable Court grant his Motion for Modification of Probation, and in support thereof, states as follows:

1. Defendant was sentenced before the Honorable Judge Pallmeyer on May 22, 2008.
2. One of the probation terms stated in his Judgment in a Criminal Case is that the Defendant is to serve the first six months of his probation in community confinement, followed by six months of home detention without electronic monitoring.
3. That the Defendant's probation officer, Jay Nichols, telephone number: (630) 663-1083, and whom defense counsel contacted on July 15, 2008, feels that the Defendant should not have to participate in community confinement for the hardship created regarding his struggling business in Joliet, Illinois. He travels from 105 S. Ashland, the site of the Salvation Army where Defendant is currently staying, to Joliet, Illinois and the total travel time is 1 1/2 hours,

each way. If called before this Court, Mr. Nichols would offer no objection to waiving community confinement insofar as the Defendant is going to be on house arrest anyway and monitored by Mr. Nichols himself.

4. Further, it would be suitable for the Defendant to be placed on electronic monitoring instead for the first six months, or quite frankly, no electronic monitoring at all.
5. Defense Counsel attempted to contact AUSA Laurie Barcella, counsel for Government, regarding this motion, and was unable to reach her to discuss the same.

WHEREFORE, the Defendant, MURTEZA GAZAFERI, prays this Honorable Court grant his Motion for Modification of Probation, and place the Defendant on electronic monitoring for the first six months, or no monitoring but home detention, and home detention for the following six months without electronic monitoring, as previously ordered.

Respectfully Submitted,

/s/ Jack Friedlander
JACK FRIEDLANDER
Attorney for Defendant

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CERTIFICATE OF SERVICE

THIS WILL CERTIFY that on July 15, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF filing system, which sent notification of such filing to the following:

AUSA Laurie Barcella, and all co-defendant's attorneys listed in the CM/ECF filing system for this case.

/s/ Stacy Gerstetter